

Thune
Tillis
Toomey
Udall

Van Hollen
Warner
Whitehouse
Wicker

Wyden
Young

Moran
Murkowski
Perdue
Portman
Risch
Roberts

Rounds
Rubio
Sasse
Scott
Shelby
Strange

Sullivan
Thune
Tillis
Toomey
Wicker
Young

NAYS—7

Booker
Gillibrand
Harris

Markey
Merkley
Sanders

Warren

NOT VOTING—2

Menendez

Paul

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, JMike Rounds, James M. Inhofe, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 263 Ex.]

YEAS—51

Alexander
Barrasso
Blunt
Boozman
Burr
Capito
Cassidy
Cochran
Collins
Corker
Cornyn

Cotton
Crapo
Cruz
Daines
Enzi
Ernst
Fischer
Flake
Gardner
Graham
Grassley

Hatch
Heller
Hoeven
Inhofe
Isakson
Johnson
Kennedy
Lankford
Lee
Manchin
McConnell

Baldwin
Bennet
Blumenthal
Booker
Brown
Cantwell
Cardin
Carper
Casey
Coons
Cortez Masto
Donnelly
Duckworth
Durbin
Feinstein
Franken

NAYS—47

Gillibrand
Harris
Hassan
Heinrich
Heitkamp
Hirono
Kaine
King
Klobuchar
Leahy
Markley
McCain
McCaskill
Merkley
Murphy
Murray

Nelson
Peters
Reed
Sanders
Schatz
Schumer
Shaheen
Stabenow
Tester
Udall
Van Hollen
Warner
Warren
Whitehouse
Wyden

NOT VOTING—2

Menendez

Paul

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Steven Andrew Engel, of the District of Columbia, to be an Assistant Attorney General.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OUR COUNTRY'S MIDDLE EAST FOREIGN POLICY

Mr. MCCAIN. Mr. President, in recent months, the United States and coalition forces have achieved major gains against Iraq and Syria. Building upon the retaking of Mosul in July, U.S. coalition partners have liberated ISIS's former capital of Raqqa in Syria, the pocket of Hawija in northern Iraq, and, just days ago, the border town of al-Qaim in western Iraq. The so-called caliphate that terrorists claimed would overrun the Middle East is now a shadow of its former self—a shrinking swathe on a map once defined by an open reign of terror.

Unfortunately, however, our challenges in the region remain daunting despite these hard-fought tactical victories. Our relentless focus on destroying ISIS, which is, of course, essential, has obscured a troubling reality: The United States lacks a clear comprehensive strategy that addresses the Middle East in all of its complexity.

This is part of the unfortunate legacy the Obama administration left for its successor, but nearly 1 year into the Trump administration, we lack clarity on essential questions about our Nation's role, and we are left to observe as bystanders the intensifying symptoms of a collapsing regional order. While in some cases we are bystanders who take action, we do so with unclear and often unstated objectives.

The United States has committed to the sale of over \$100 billion of weapons to Saudi Arabia. We have announced an outline of strategy to counter Iran while providing only minimal detail. We remain conspicuously silent on the future of our role in Iraq and Syria beyond eliminating ISIS, as the Assad regime and its partners consolidate power.

Our power and influence is diminishing in the Middle East as a result of our lack of direction, and the vacuum has been filled by forces working contrary to American interests. Consider the events that have swept the region in recent months.

In Iraq, Iranian forces are working to sow discord as we recently saw in Kirkuk, where the presence of the Quds Force commander, Qassem Soleimani, exacerbated tensions among the Kurds and the government in Baghdad. Iranian-backed militias continue to gain power and aim to turn next year's election into a setback that drives American influence out of Iraq. Meanwhile, the scourge of ISIS remains despite recent military successes. The terrorist attack last week in Manhattan shows its persistent appeal. Its rise in the wake of U.S. withdrawal years ago demonstrates the danger of leaving before winning the peace.

Across the border in Syria, the Assad regime, backed by Russia, Iran, Hezbollah, and an array of militias, has retaken most of the country, including many eastern areas that are strategically important. The consequences of the resulting humanitarian crisis have spilled beyond its border for years, destabilizing nations far beyond Syria and paving the way for radicalization. Forces that are hostile to both our interests and our values are shaping the future on the ground while we remain silent, focused on the immediate defeat of ISIS.

I want to emphasize, we want to defeat ISIS. We are defeating ISIS, but that is not our only goal in the Middle East.

On Saturday, the Lebanese Prime Minister, Mr. Hariri, resigned, claiming that he faced death threats from Iran, leaving the United States with one less valuable partner in a divided government in which Hezbollah plays a major role. I happen to have become friends with Mr. Hariri over the years. He is a good, pro-democratic, outstanding individual who basically was forced out of office.

A web of Iranian proxies and allies are spreading from the Levant to the Arabian Peninsula, threatening stability, freedom of navigation, and the

territory of our partners and allies, including with advanced conventional weapons. Iran itself continues to menace its neighbors, use its sanctions relief windfall to harmful ends, test ballistic missiles, and spread weapons throughout the region.

According to our allies and partners, just days ago, Houthi rebels in Yemen launched an Iranian-provided missile at the airport in Riyadh. Meanwhile, our Arab allies are embroiled in infighting and diplomatic disputes that weaken regional cooperation and coalition efforts in the face of these pressing threats.

Saudi Arabia itself is in the midst of monumental change. The recent appointment of a new Crown Prince, the arrest over the weekend of a number of prominent Saudi citizens, and the Kingdom's ongoing war in Yemen, which has spawned a humanitarian crisis of its own, indicate a forcefulness that promises progress but also raises concern about internal stability and regional conflict. Ultimately, it could serve to strengthen Saudi rivals.

In Turkey, President Erdogan continues to consolidate power, abuse human rights and the rule of law, and stifle democracy, while growing closer to Russia and straining the relationship with NATO. Meanwhile, Vladimir Putin's Russia casts a long shadow throughout the region as it reestablishes itself as a power broker hostile to American interests and wholly unconcerned about human rights.

These challenges are daunting, confusing, and complex, borne of years of neglect, punctuated by crises and aggravated by weeks filled with the events of decades.

The questions a comprehensive strategy must address are formidable: What are our political and military objectives in the region? How should we prioritize our pursuit of objectives given the numerous regional challenges, and how should we measure our success? What roles and responsibilities should our allies and partners play, and what support will they need to do so? What should be the size, roles, missions, and capabilities of U.S. forces in the region, whether in Iraq, Turkey, the Persian Gulf, or elsewhere? How will the United States facilitate humanitarian relief, stabilization, reconstruction, and political reconciliation where possible?

These questions—many of which we require the President and Department of Defense to answer in the National Defense Authorization Act—are not academic.

The United States is not involved in the Middle East because we labor under the illusion that our presence will solve every problem but because the stability of the region is vital to our national interests and international security alike. Middle Eastern instability tends to travel far beyond its borders. The region's importance to the

global economy that Americans benefit from and depend upon cannot be underestimated, but if we keep sleepwalking on our current trajectory, we could wake up in the near future and find that American influence has been pushed out of one of the most important parts of the world, and that we cannot abide.

The world faces an unprecedented array of challenges, of which instability in the Middle East is only one. Most importantly, the United States faces growing threats from Russia and China, both of which are eager to tilt the balance of power in Europe and Asia toward them rather than toward us and the majority of the world that favors greater freedom and openness.

We need to prioritize these critical challenges by rebuilding military readiness, reorienting our force structure, investing in needed capabilities to deter near-peer competitors, and strengthening our alliances with like-minded partners and allies.

If we neglect to consolidate our gains against ISIS and address the threats to American interests throughout the Middle East, our gains will easily be overtaken. As my friend and former Secretary of State George Schultz once observed, "If you have a garden and want to see it flourish, you have to tend to it." We could find ourselves enmeshed in conflicts far more costly in lives, power, and opportunity if we neglect to care for a particularly frustrating part of the world.

Our elected leaders must articulate a comprehensive strategy that reflects these judgments with specificity and detail rather than piecemeal offerings and tactical victories. Congress, with our constitutional role as a coequal branch of government, and, more importantly, the American people, deserve no less.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today the Senate will confirm Steven Engel to serve as Assistant Attorney General for the Office of Legal Counsel.

The Office of Legal Counsel, which we refer to as the OLC in the Judiciary Committee, functions as legal advisor to the President and executive branch agencies, providing advice on complex questions of constitutional and statutory interpretation. The OLC essentially serves as the general counsel to the executive branch.

Mr. Engel is well equipped to lead that office, both from the standpoint of academics and from the standpoint of background. Mr. Engel received his undergraduate degree from Harvard, his master's of philosophy from Cambridge University, and his law degree from Yale Law School.

Following his graduation, Mr. Engel clerked for Judge Kozinski of the Ninth Circuit Court of Appeals and for Justice Kennedy on the Supreme Court. Mr. Engel joined the law firm of

Kirkland & Ellis after clerking for Justice Kennedy. Mr. Engel's practice focused on appellate and commercial litigation matters.

In 2006, Mr. Engel joined the OLC as counsel to the Assistant Attorney General at that time and was later promoted to Deputy Assistant Attorney General. There he provided legal advice to the Attorney General, to the White House counsel, and other executive branch clients on a variety of legal matters.

In 2009, Mr. Engel joined the law firm of Dechert as a partner in the white collar and securities litigation group and later in that same firm as a member of the complex commercial litigation group.

Mr. Engel's nomination has broad support across the legal community. The Senate Judiciary Committee received a number of letters in support of his nomination. One such letter is signed by former Attorneys General Mukasey and Gonzales, as well as former Deputy Attorneys General Filip, Morford, and McNulty. Other letters of support were received from his clerks on the Supreme Court, a group of Mr. Engel's former colleagues, Yale Law School classmates, and Harvard Law Professor Jack Goldsmith. Mr. Engel also received an endorsement from the Patrolmen's Benevolent Association of the city of New York, which is the largest police union in New York City.

Another letter from former senior government officials and legal officers of the executive branch, including Kenneth Wainstein and Michael Hayden, noted their "enthusiastic support" for Mr. Engel's nomination. Wainstein and Hayden wrote: "We are confident that as head of OLC, Steve will render legal opinions with the highest level of professional integrity and according to his best understanding of what the law and the Constitution require."

Mr. Engel and I met this summer, and we discussed the importance of congressional oversight and the essential role played by Members of this body and the House of Representatives. He assured me that he agreed that each Member, whether or not a chairman of a committee, is a constitutional officer entitled to the respect and best efforts of the executive branch to respond to his or her requests for information. Further, he committed to review the May 1, 2017, OLC opinion on this very issue and to consider whether a more complete analysis of the issue is necessary.

You may remember that my interest in this whole thing goes back to early in this new administration, when people working for the President and presumably speaking for the President said that the only oversight letters that would be responded to would be those from chairmen of committees. Now, you can imagine that leaves out

at least 30-some Republicans that would never get answers to their oversight letters, and it would leave out 48 Democrats that would never get answers to their letters. Consequently, most of Congress would not be able to do their constitutional role of oversight, making sure that the executive branch is in enforcing the laws and spending the money according to what we require. So I raised that issue through a 7-page letter to the White House, and they came and visited with me about it.

I think they had some misunderstanding of what oversight was all about. They wrote a letter that said they are going to respond to every Member of Congress on oversight issues, which satisfies me from the standpoint of their intent.

As I just said in my remarks here, Mr. Engel committed to review that May 1, 2017, OLC opinion on this issue and to consider whether a more complete analysis of the issue is necessary because every Member of Congress should be able to do oversight, and every Member of Congress ought to expect an answer to their letters from the executive branch of the government, whether they are a chairman or not, whether they are a Republican or not, whether they are a Member of the House or a Member of the Senate. I want to make sure that we follow through on this, although I will give this administration credit for almost totally reversing an opinion that they issued way back in May.

The head of OLC is a highly important role at the Department of Justice, and it is a role whose importance is felt throughout the Federal Government. Just to show you how it is felt throughout the entire government, let me tell you that they issued an opinion in the previous administration on something to do with the work of inspectors general throughout the government, previously, or maybe originally, intended to say what the inspectors general could demand or not demand. We understand that the law passed in 1979 says that an inspector general can be entitled to any information he wants from that department, but they issued an opinion—the OLC person at that time—along the lines of, well, there are some areas that maybe the head of the agency has to review, which means that the 1979 law isn't being carried out in the spirit. That is kind of an example because that opinion from the Justice Department was used by general counsels throughout the administration of Obama to keep Congress from doing its oversight work. That is how important the person who is the head of the Office of Legal Counsel is in determining what goes on in the executive branch of government—enough to stifle the oversight work of the Congress of the United States or the work of the inspectors general of each department.

So I see Mr. Engel as a person who is going to be a friend of congressional

oversight and, if he isn't, I am going to be very, very disappointed. He has satisfied me through his testimony before our committee and through the promises he made in letters to me and in the privacy of my office that he is going to do that. So we are ending up with a Mr. Engel who is, as you can see, very well qualified to take on such a role as Assistant Attorney General of the Office of Legal Counsel.

I urge my colleagues to support Mr. Engel's nomination and confirm him to this important position.

I yield the floor.

Mr. DURBIN. Mr. President, I rise in opposition to the nomination of Steven Engel to head the Justice Department's Office of Legal Counsel.

On many occasions, President Donald Trump has made clear that he does not appropriately respect the rule of law in America. We have seen this many times over the last few years, from his bigoted and disdainful comments about Federal judges, to his firing of FBI Director Comey because of what the President called "this Russia thing," to his shameful pardon of Joe Arpaio, a man convicted of criminal contempt for refusing to stop violating the Constitution, to his efforts last week to badger the FBI and Federal prosecutors into doing his bidding.

As Republican Senator BOB CORKER said last Friday:

President Trump's pressuring of the Justice Department and FBI to pursue cases against his adversaries and calling for punishment before trials take place are totally inappropriate and not only undermine our justice system but erode the American people's confidence in our institutions.

If my Republican colleagues want to restore confidence in our institutions of justice, they can start by making sure that only someone truly independent of Donald Trump serves in the vital position of Assistant Attorney General for the Office of Legal Counsel.

The Office of Legal Counsel, or OLC, is not well known, but it is a critical part of the Federal government. OLC exercises statutory authority to provide legal advice that is binding on the executive branch. In addition to giving legal advice to the President and executive branch officials, OLC reviews all proposed Executive orders and Attorney General orders for form and legality. Essentially, OLC serves as a check to make sure that the President and his administration are faithfully executing the laws.

There have been shameful moments in our history when OLC's leaders have lacked the independence and judgment to stand up for the rule of law. For example, in 2002, under Assistant Attorney General Jay Bybee, OLC produced the infamous torture memo that approved the CIA's use of torture techniques like waterboarding. When this memo became public in 2004, the Justice Department was forced to withdraw it. Jack Goldsmith, a prominent conservative legal scholar who was acting head of OLC at the time said he

was "astonished" by the memo's "deeply flawed" and "sloppily reasoned" legal analysis.

Then, in May 2005, OLC had a new leader—Steven Bradbury—and he secretly issued three new torture memos approving the use of waterboarding and other abusive interrogation techniques. Then-Deputy Attorney General Jim Comey strongly objected, saying the United States would be ashamed when the memos came to light, but Attorney General Alberto Gonzales overruled him.

Already, we have seen troubling signs at OLC under President Trump. In January, OLC signed off on President Trump's travel ban Executive order, a decision that was kept secret from then-acting Attorney General Sally Yates. According to Ms. Yates, this was the first time ever that OLC hid its actions from the Attorney General, which it did even though OLC reports to the Attorney General. This Executive order was blocked by multiple Federal courts before it was withdrawn. OLC issued an opinion on Inauguration Day to allow President Trump to employ family members in the White House. This was a reversal of OLC's longstanding position on antinepotism laws.

OLC is likely to face many critical legal issues in the coming months and years. We need OLC to serve as an independent check on this administration, especially since President Trump has shown an eagerness to denigrate the justice system and to criticize those whose views on the law differ from his own. Unfortunately, Steven Engel, the President's nominee to head OLC, has not demonstrated the independence and judgment that our country needs for this vital position.

Mr. Engel has been a law firm partner since 2009. Previously, he worked at OLC under President George W. Bush from 2006 to 2009, rising to the level of Deputy Assistant Attorney General. Mr. Engel admitted that, while he was at OLC, he "reviewed and commented upon" a July 2007 memo to the CIA Acting General Counsel which concluded that six CIA enhanced interrogation techniques were legal. These techniques included, for example, extended sleep deprivation by shackling detainees in a standing position while wearing a diaper for days at a time. The OLC opinion said that these techniques did not constitute cruel, inhuman, or degrading treatment. The Justice Department's Office of Professional Responsibility concluded that this 2007 memo was inconsistent with the plain meaning and commonly held understandings of Common Article 3 of the Geneva Conventions. The OLC opinion was withdrawn in 2009.

While at OLC, Mr. Engel also helped draft legislation that would become the Military Commissions Act of 2006. This law included a provision that suspended habeas corpus rights for Guantanamo Bay detainees, a provision that the Supreme Court struck down as unconstitutional in the *Boumediene* case.

Additionally, Mr. Engel worked on President Trump's transition and Justice Department landing team, but, he would not tell the Judiciary Committee what matters he worked on, which is troubling.

I asked Mr. Engel to provide reassurance that, if he is confirmed, OLC will operate independently from President Trump. His response? He said he was deeply committed to the independence of OLC and said, "I demonstrated that commitment in my prior service in the Office, as well as in my activities in private practice and my volunteer work for the Trump transition team." It is hard for me to understand how Mr. Engel's work for the Trump transition—work that he would not even discuss with the committee—is supposed to reassure us about his independence from President Trump. To the contrary, I fear that by refusing to discuss his transition work, Mr. Engel has already started covering for Mr. Trump.

Perhaps the most telling response Mr. Engel provided when it comes to demonstrating independence from President Trump is this. I asked him this question in writing:

According to news reports, in a January 27th dinner, President Trump asked then-FBI Director James Comey if Comey would pledge his loyalty to President Trump. Do you believe it is appropriate for a President to ask a Director of the FBI to pledge loyalty to the President?

His response? "I do not have any knowledge concerning the communications between President Trump and former FBI Director Comey." This is not a hard question. I wasn't asking Mr. Engel about the specific conversation between President Trump and the FBI Director. Here is the easy answer that he should have given: It is wrong and unethical for a President to ask an FBI Director—or any Justice Department or FBI official—to make a personal loyalty pledge. If Mr. Engel can't get the easy questions right, what will he say when challenging questions come before OLC?

For example, what if President Trump asks OLC to revise the 1974 OLC memo concluding that a President cannot pardon himself? Would Mr. Engel cave to the President's whims? Or what if President Trump asks OLC to justify some pretext for the firing of Special Counsel Mueller? Are my Republican colleagues confident that Mr. Engel would stand strong?

Here is the bottom line. Many of my Republican colleagues talk and tweet about their concerns when President Trump disrespects the rule of law, but talk and tweets are cheap. If they are truly concerned about President Trump's actions, they need to vote in a way that serves as a meaningful check on President Trump. Our Nation needs the Office of Legal Counsel to serve as a check on the President's worst impulses. We need them to stand strong when the President berates the Justice Department and urges it to ignore legal norms and processes.

I am concerned that Mr. Engel has not demonstrated the independence and judgment we need from the head of this critical office. Therefore, I cannot support his nomination.

The PRESIDING OFFICER. The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, we are getting close to making tax relief for Americans a reality. Last week the House released its tax reform bill, and this week we expect the Senate Finance Committee to release our version. In the coming days, the tax committees in both Houses will review the bills, and then we will debate them on the floor and develop a final version.

After years of economic stagnation, Americans are ready for relief. They are ready to keep more of their hard-earned money. They are ready to finally see a real pay increase, and they are ready for access to more economic opportunity. That is what our tax reform bill is going to provide.

To start with, our bill is going to put more money in Americans' pockets by lowering their tax rates and doubling their standard deduction. Under our bill, a family making \$24,000 a year or less will not be paying any taxes, and families making more than \$24,000 a year will be paying significantly less than they are paying today. We are also going to help families by substantially increasing the child tax credit, and we are going to simplify and streamline the Tax Code so that it is easier for Americans to figure out what benefits they qualify for so they don't have to spend a lot of time and money filing their taxes.

But that is only the beginning. Americans don't just want to keep more of their hard-earned money. They also want to be making more of it, but Americans have had a hard time doing that lately. Wages have been stagnant for years, and new opportunities have been hard to find.

So in addition to reforming the individual side of the Tax Code, we are going to reform the business side so that we can give Americans access to the kinds of jobs, wages, and opportunities that will set them up for a secure future. In order for individual Americans to thrive economically, we need American businesses to thrive.

Thriving businesses create jobs, they provide opportunities, and they increase wages and invest in their workers. Right now, though, our Tax Code is not helping businesses thrive. Instead, it is strangling both large and small businesses with high tax rates. Small businesses are incredibly important for new job creation. They play a huge role in the economy in my home State of South Dakota and other States all across the country, but the high tax rates that too many small businesses currently face can make it difficult for them to even survive, much less thrive and expand their operations.

So we are going to lower taxes for small businesses so that they can grow

and hire new workers. We are also going to allow small businesses to recover their capital invested in things like inventory and machinery more quickly, which will free up capital so they can use that to expand and create jobs. Right now it can take small businesses years, or in some cases even decades, to recover the cost of their investments in equipment and facilities. That can leave them extremely cash poor in the meantime, and, needless to say, cash poor businesses have a hard time expanding, hiring new workers, or increasing wages. Allowing small businesses to recover their investments more quickly will mean more jobs and more opportunities for American workers.

In addition to high tax rates on small and large businesses, another thing that is decreasing jobs and opportunities for American workers is our outdated worldwide tax system, which is discouraging American companies from investing their profits here at home in American jobs and American workers. Having a worldwide tax system means that American companies pay U.S. taxes on the profit they make here at home as well as on part of the profit they make abroad once they bring that money back to the United States. The problem with this is that American companies are already paying taxes to foreign governments on the money they make abroad. Then, when they bring that money home, they too often end up having to pay taxes again on part of those profits and, I might add, at the highest tax rate in the industrialized world. It is no surprise that this discourages businesses from bringing their profits back to the United States to invest in their domestic operations, in new jobs, and in increased wages.

Between 1982 and 2003, when the U.S. tax rate was much more competitive with those other countries, there were 29 corporate inversions where U.S. companies moved abroad. Between 2003 and 2014, when other countries were dropping their corporate tax rates and shifting to territorial tax systems, there were 47 such inversions.

Our tax plan addresses this drag on our economy by moving from our outdated worldwide tax system to a territorial tax system. What does that mean? By shifting to a territorial tax system here in the United States—a move, I might add, that is supported by Members of both political parties—we will eliminate the double taxation that encourages companies to send their investments and operations overseas. Combine that with a reduction in our high corporate tax rate, and we can provide a strong incentive for U.S. companies to invest their profits at home in American jobs and American workers instead of abroad.

Business tax reform is essential to reversing the economic stagnation that we have seen in recent years. The White House Council of Economic Advisers estimates that the tax reform framework that Republicans have presented will boost economic growth by

between 3 and 5 percent. That is good news for the economy. More specifically, however, it is good news for American workers, who can expect to see their incomes rise as a result. A study from the White House Council of Economic Advisers estimates that reducing the corporate tax rate from 35 percent, where it is today—the highest, as I said, in the industrialized world—down to 20 percent, which is more competitive with our competitors around the world, would increase average household income by \$4,000 annually. Think about that. Reducing the tax on businesses in this country would increase average household income for families in America by \$4,000.

A Boston University professor and public finance expert, Larry Kotlikoff, found that lowering the corporate tax rate to 20 percent would increase household income by \$3,500 per year on average. This was most recently confirmed by Martin Feldstein, a Harvard professor and former Chair of the Council of Economic Advisers, who noted in the Wall Street Journal this week that corporate tax reform is likely to boost household income by \$3,500 per year.

There are lots of analysts, lots of experts who are looking at these proposed changes to the Tax Code and the tax reform that we are attempting to get through the Congress this year and onto the President's desk, and they have concluded that not only will it reduce taxes—the tax burden, the amount of tax that is paid by middle-income families in this country—but the reduction in the rates on businesses will also increase the number of opportunities for better paying jobs and higher wages and it will raise that annual income—that average household income—that is so desperately in need of a boost.

It has been a rough few years for the American economy and for American workers. I think all you have to do is to look at the numbers and you know that most Americans haven't seen a pay raise in almost the last decade. But with comprehensive tax reform, the next few years—and the next few decades, for that matter—can look very, very different.

Republicans' tax reform legislation is going to provide direct relief to hard-working Americans, and it is going to create the kind of economy that will give workers access to more jobs, to better opportunities, and to higher wages, not just for the near term but for the long term.

I look forward to working with my colleagues on the Senate Finance Committee, under the leadership of Chairman HATCH, to put the final touches on our bill and to take it up in the committee next week. Then, I hope we can bring that bill to the floor of the Senate and have an open debate, process amendments, and pass something through the Senate that we can conference with the House of Representatives, put it on the President's desk, and move our economy in a direction

that will provide a brighter and more prosperous future for American workers and American families.

It is time to give the American people some relief.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. President.

Mr. VAN HOLLEN. Mr. President, I rise today to strongly oppose the legislation that has emerged from the House of Representatives that pretends to provide tax relief to middle-class Americans, but if you take a look at it and you look at the analyses that have already come out, what it really is, is another big tax giveaway to millionaires, billionaires, and big, multinational corporations.

I believe we should do tax reform. We should take our Tax Code and clean up a lot of the junk that has gotten into our Tax Code that is not there for good public policy reasons and is there because someone had a high-powered lobbyist. We need to clean up our Tax Code, we need to reform our Tax Code, and we need to do it in a way that helps the middle class and doesn't add more big breaks for big corporations.

Unfortunately, this Republican plan does the opposite of tax reform. What it does is doubles down on big tax breaks for big corporations and the superwealthy.

There is a headline today based on the analysis. The New York Times looked at it. "Republican Plan Would Raise Taxes on Millions" of middle-class families. I can tell you that is very true in my State of Maryland. In fact, it is going to be true in States throughout the United States of America. We are going to see millions of middle-class families paying more under this plan. In fact, this analysis that is discussed in the Times found that 45 percent of middle-class families will see a tax increase under this plan once it is fully implemented. That means that families making between roughly \$50,000 a year and \$160,000 a year—about half of them are going to end up paying higher taxes under the Republican plan.

Here is one of the double standards that you see continuing throughout the Republican tax plan: Big corporations not only get big tax cuts—\$1.5 trillion—but they are going to go on forever. In middle-class families, many people will see an immediate tax increase. Others will initially see a little tax cut. But for individuals and families, it is the great disappearing tax cut—a little sweetener to make the bill look good in the early years, but the bill takes away all those tax cuts for middle-class families, on average, and then actually increases the burden on a family of four making \$59,000 under the plan.

For corporations, a \$1.5 trillion tax cut over 10 years—permanent. For folks in the middle, many will see an immediate tax increase, and the tax in-

crease will stay in place. Others will see a little tax decrease, but as the years go by, many of those are going to see their taxes go up. It is a major corporate tax cut financed in large part by millions of middle-class families paying higher taxes.

Just to give a sense of how well the folks at the very top will do, there is a headline from the Wall Street Journal—this is not a Democratic-leaning newspaper—"Banks Sidestep a Big Tax-Plan Pitfall." Right here in the second paragraph of the Wall Street Journal article, it says this: At a 20-percent corporate tax rate, banks stand to be among the biggest winners from tax reform. That is according to S&P Global Market Intelligence. The five biggest diversified banks alone might have had tax savings of \$11.5 billion in 2016 at that rate—the biggest sum for any subindustry group tracked by S&P. The biggest banks do just great under this Republican plan. Middle-class families are left paying the bill.

If you look at this on the individual side, the top 1 percent wealthiest Americans in this country are going to get an average tax cut of \$65,000—that is per person, on average. If you are in that top 1 percent, an average family will get a \$65,000 tax cut. That means that 48 percent of the benefit of all the tax cuts in this Republican plan goes to the top 1 percent. Let me say that again and just flip it around. The top 1 percent wealthiest households are going to get 48 percent of the dollar benefit of this tax cut. That doesn't sound like a plan focused on improving the situation of middle-class taxpayers. They are the ones who are going to have to finance many of those tax cuts for the very wealthy and big corporations.

I know our Republican colleagues recognize what a vulnerability this is because our colleague, Senate majority leader Mr. MCCONNELL, said about the tax bill in an interview last Saturday: "At the end of the day, nobody in the middle class is going to get a tax increase." To understand what that means, he is saying that not a single middle-class household out there in the country is going to see their taxes go up. Well, I don't know what tax plan he is talking about, but it is certainly one that hasn't seen the light of day yet because the bill that has come out of the House will raise taxes on millions of middle-class families, and that is a fact.

Just the other day, in an interview on FOX News, Speaker RYAN said: "We are making sure every middle income taxpayer is a winner here." Every middle-class taxpayer is a winner here. Well, that is certainly not true of the plan that was just marked up in the Ways and Means Committee of the House because there are a whole lot of families in the middle class who are big losers under the Republican plan—in fact, millions of them around the country.

I don't know what plan they are talking about. I am looking forward to seeing the Republican plan that doesn't raise taxes on any middle-class family in the United States. That should be our policy. We should not be increasing the burden on middle-class families in order to finance a \$1.5 trillion tax cut for big, multinational corporations, but that is the way it is right now.

Homeowners are going to be especially hard hit under this Republican plan because a lot fewer homeowners will utilize the mortgage interest deduction, and the Republican plan also slashes the deduction for State and local taxes. In fact, they eliminate your option to deduct State and local income taxes. The result is going to be that a lot of middle-class homeowners are going to pay a lot more. That is why the Realtors oppose this bill. These are the folks in our neighborhoods who are buying and selling homes. They are folks who have their ears to the ground in our communities.

Here is what the president of the National Association of Realtors said about this bill: It "threatens home values and takes money straight from the pockets of homeowners."

In fact, they had a study done by PricewaterhouseCoopers that said that if you are a homeowner and your income is between \$50,000 and \$200,000, adjusted gross income, you will see an average tax increase. They also predicted that home values across the board could drop by 10 percent, and it is not clear when they would recover their value.

The National Association of Home Builders is also opposed to this legislation because of the impact it will have on home ownership and the prices and value of people's homes around the country. They said:

The House Republican tax reform plan abandons middle-class taxpayers in favor of high-income Americans and wealthy corporations. The bill eviscerates existing housing tax benefits by drastically reducing the number of homeowners who can take advantage of mortgage interest and property tax incentives.

I think all of us know that this is not some left-leaning group. We are talking about the National Association of Home Builders finding that the Republican plan abandons middle-class taxpayers in favor of high-income Americans and wealthy corporations. That is their finding based on their analysis of the bill.

Here is the catch. It is that double standard again. Just as I said earlier, you have the tax cuts for big corporations going on forever, but there is much less tax relief for some middle-income taxpayers, and it takes effect early but then phases out. You also have a situation where, if you are a big corporation, you get to deduct all of your State and local taxes. In fact, if you are a multinational corporation and you are in China, you get to deduct taxes you pay to the Government of China. But if you are a household in

Maryland or any of our States, you don't get to deduct the taxes you pay to your State and local governments. So you are paying taxes twice on that dollar—once to the State government and again to Uncle Sam out of the same dollar.

Fitch Ratings looked at this and concluded that it will put dramatic strains on State and local budgets since people in those States are not going to be able to take those tax deductions. Either you are going to see dramatic cuts to school funding or healthcare, or you are going to see State and local governments raise the property taxes in those States. So you get hit coming and going if you are a middle-class homeowner.

This also damages our economic development efforts in many parts of our country. It repeals the new markets tax credit. While it doesn't get rid of what President Trump said was a huge giveaway, the hedge fund loopholes—I can't remember how many times during the Presidential campaign Candidate Trump talked about how the hedge fund tax break was a total giveaway. That is not eliminated in this Republican bill. They keep the big hedge fund loopholes, but here is what they get rid of. They get rid of the ability of people with high medical expenses to deduct those expenses from their taxes.

They even take away the additional standard deduction that currently applies to taxpayers who are at least 65 years of age or who are blind. There are many folks who are in that category who are also going to see their taxes go up. Seniors are going to see their taxes go up, which is why the AARP has raised the alarm about that provision and others.

While they keep the big hedge fund loopholes, they get rid of the ability of families who adopt children to take a tax credit to help cover the costs of adoption.

They get rid of provisions of the Tax Code that help students and teachers and schools. If you are a teacher who has been spending money to buy textbooks and other materials for your class, you used to be able to deduct the costs of what you are buying to help your kids. They take that away in the same bill that they give big corporations a big \$1.5 trillion tax break. If you are a student who has been struggling to afford college bills, you no longer get to deduct the interest on your student loans.

If you are an employer who is currently receiving an incentive to employ veterans who have served our country, sorry, that is gone too.

So I want to get this straight. You are going to take away the ability of people with high medical expenses to take a deduction. You are going to take away the ability of college graduates to take a deduction so that their expenses are more affordable. You are going to take away the ability of people to get the adoption tax credit. And

you are going to take away incentives for people to hire our veterans. But you are going to keep the hedge fund loophole and you are going to give a \$1.5 trillion tax cut to big corporations. That is what this bill is all about.

Finally—and I am going to talk about this at greater length some other time—look at the international tax provisions in this Republican bill and how they are structured. I really urge my colleagues to take a look at this. They actually increase the incentives for U.S.-based businesses and companies to move their operations overseas. That is for two reasons. No. 1 is that when you reduce the international tax rates—when you say, essentially, that a U.S. corporation that moves its jobs overseas now just pays the tax in that country and has no U.S. tax obligation; we, under this bill, are at 20 percent—you still have an incentive, obviously, to move your operations to a very low tax place like the Cayman Islands.

But, then, there is an effort to address that issue in this bill. The problem is the effort to address that provision doesn't work at all. Here is the current situation: A lot of corporations try to park what are known as their intangible assets in the Cayman Islands or other tax havens. These are things like the value of patents. You make a great discovery, and you get a patent from the U.S. Patent Office, and you make royalties off of that patent. Then, you have a lot of good lawyers, and essentially you park that patent in the Cayman Islands. That really has no tax obligations, so all the profits that derive from that patent are not subject to any tax—or maybe 1 or 2 percent tax.

So in this Republican bill, there is an effort to try to address that issue—at least it pretends to address the issue—but the problem is that it doesn't.

Here is what they say. They say: Well, we are going to catch you if you park your money in a place like the Cayman Islands because we are going to have a tax of 10 percent—a foreign high-return tax is what they call it. The way they determine whether you are making an excess profit is you look at your tangible assets in that country and you determine whether the profit you have made is over 8 percent. That is the way it approximately adds up under this bill. But here is the problem: It is an average international minimum tax, not a per-country minimum tax.

So let me tell my colleagues what a company that wants to reduce its tax obligation does. They move their company offshore. They take a company, say in Baltimore, MD, that is worth \$100 million, and they are making a \$5 million profit today here in the United States and they will be taxed at 20 percent, and then they have this profit from the Cayman Islands at \$2 million. Under that previous provision I talked about—this effort in the Republican bill to protect against what they call

high-return tax areas—they would normally have captured some of the income generated from profits in the Cayman Islands. But when I move my company from Baltimore to, say, the United Kingdom, I actually then escape having to pay that tax on my monies in the tax haven.

So the bottom line is that this Republican bill, because it has this average 10 percent minimum tax provision, is going to encourage American businesses and companies to move overseas. If that is not what the intention is, I urge my Republican colleagues to fix this right away. It hasn't been talked about much.

There have been a couple articles recently about it. Gene Sperling, Kim Clausing, and others have gone through the economics of this, and it would make the situation a lot worse compared even to today in terms of these incentives.

The bottom line is, in addition to this being a \$1.5 trillion tax break for big, multinational corporations, paid for and financed by folks in the middle—which, even after you see the middle-class families pay more, results in a \$1.5 trillion addition to the debt, but even after all of that—after the big tax giveaway to big corporations, it has an incentive to add insult to injury for them to move their businesses and factories offshore.

I hope we will take a big step back and stop rushing a bill through as a matter of political imperative. We need to get this right. We should have hearings. We should have folks from all different walks of life and folks who will be impacted by this bill in many different ways come and testify to Congress about this bill. Then, let's get together on a bipartisan basis and actually do something that works for the American people, not something that is going to clobber the middle class and provide this huge windfall tax break to big multinational corporations, while encouraging them to suck jobs and factories from the United States overseas.

We need to start again on this. I urge my colleagues to do that.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I don't know where to begin. I want to speak about the tax reform proposal but will start by responding to my colleague from Maryland—and he is a colleague and friend—to say that he must be talking about a different tax reform proposal than we are talking about because, frankly, so much of what he said is not consistent with the legislation that I have seen the House proposing and certainly not consistent with the legislation we are talking about here in the Senate.

Let me start with his claim that there is a \$1.5 trillion tax cut for big corporations. That is simply not true. You can look at the House proposal because it is now out. You can see the fact that it does have tax relief, and it

has tax relief targeted at middle-class families. He is right about the fact that it has a lower rate for our multinational businesses, but he also knows that our current system is absolutely broken, and what is occurring is precisely what he is suggesting might occur if we were to change the code, which is companies and jobs and investment are going overseas.

He talked about the fact that we haven't had hearings. Since I got elected to the Senate in 2010, we have had 70 hearings in the committee I serve on, which is the Finance Committee. I would encourage people to look at what we did 2 years ago. We set up five bipartisan task forces on tax reform. I cochaired one of them. It was actually on the very topic my colleague was talking about.

I would encourage him to look at the working group paper on international tax reform and the need for us to go to a lower rate—20 percent—to be competitive, to get just below the other industrialized countries, and then to have the opportunity to go to a new type of tax system that enables us to bring back the money that is locked out overseas. Unbelievably, there is \$2.5 trillion to \$3 trillion of earnings that are overseas. Much of that could be brought back, and that is what this tax proposal does.

Significantly, that report my colleagues will see was coauthored by two Members of this body, one Republican and one Democrat, because all of these task forces, these working groups, were bipartisan. My colleague in that effort was a Senator from New York by the name of CHUCK SCHUMER, who now happens to be the Democratic leader.

So I think there is a consensus, at least in the real world, about the fact that our current Tax Code is hopelessly broken and we have to fix it. And if you are against helping our companies to stay American companies, that must mean that you believe that they ought to become foreign companies, which is exactly what is happening. To me, it is an outrage that the U.S. Congress is allowing this to happen.

Ernst & Young, which is a public accounting firm, recently came out with a study showing that 4,700 companies that have become foreign companies over the past 13 years would still be American companies if we had the kind of tax reform proposal that we are proposing. In other words, if you had this 20 percent rate I talked about, this competitive international system, you would have 4,700 more American companies here, providing jobs, making investments, contributing to their communities.

It does matter that a company is headquartered here versus headquartered overseas. We have done an analysis of this. We have done an investigation of this. We have determined that when companies leave, they don't just change their headquarters, they take investment and jobs with them.

I would refer my colleagues to the work of the Permanent Subcommittee on Investigations; again, bipartisan work about the fact that we have to fix this broken Tax Code.

The Congressional Budget Office, which is the nonpartisan group here on Capitol Hill that gives us advice on the impact of tax reform on the economy, on deficits, on revenues, has a report which says that if you do lower the business tax rate to make these companies competitive—again, the alternative is going overseas—the benefit of that goes to shareholders, goes to workers. They say in their analysis that 70 percent of the benefit goes to higher wages and more benefits for workers.

Think about it. That makes sense. If a company is not competitive, they can't pay the kinds of wages we want them to pay. We want to get wages up. They can't pay the kinds of benefits we want them to pay. We want to get benefits up.

So although I hope that we can have a spirited debate about aspects of this legislation, we should stick to the facts. We should not attempt to make this yet another partisan issue in this town, where we are attacking something not so much on the merits but because the other side thought about it.

I will tell you, when you look back historically, it isn't just the working group that Senator SCHUMER and I cochaired on this international front where we have to get this rate down. We have to become competitive. We have to save our jobs here. But look at another bipartisan effort that is talked about a lot and is not agreed to by all Democrats or all Republicans; that is, the Simpson-Bowles proposal. This was several years ago. They looked at the tax policy and deficit issues. Simpson-Bowles—totally bipartisan, supported by a bipartisan group of U.S. Senators who, at the time, were on that commission—said that we ought to go to this lower rate and territorial system. This is not a partisan issue or at least it hasn't been until now. Let's not make it one.

Yes, it is true that there is tax relief in this proposal. The proposal the House has proposed—the proposal the Senate is likely to propose later this week—does have tax relief, and we believe that tax relief is appropriate.

We believe we have to give middle-class families in my home State of Ohio and around the country a little break right now. Why? Because they are seeing their expenses go up, especially healthcare, but also other expenses. I say “especially healthcare” because that is the single largest increase in expenses; it is in the healthcare area—deductibles, copays, premiums—but also on food, housing, and other costs, including tuition if you are trying to send your kids to school. These expenses have skyrocketed, yet wages are flat, meaning people are facing this middle-class squeeze.

We hear a lot of discussion on both sides of the aisle about the fact that we want to help the middle class. One way to help is to help the family budget, to get a little relief to these families so they can make ends meet and not just live paycheck to paycheck.

It will also help the economy. It will help get more money into the economy to buy that car, to buy that appliance, to help move the economy forward. It is part of this reform bill—yes, it is—and we are proud of it.

We also provide some tax relief on the business side to help small businesses. These are the so-called pass-through companies. About 90 percent of the businesses in America don't pay their taxes as companies. They are not corporations in that sense. They pay their taxes through their individual tax return. They are called pass-through companies. Some call them LLCs, subchapter S, or sole proprietors or partnerships. These companies tend to be smaller companies, they tend to be family-owned. They need a little help too. So the proposal does provide significant relief for those small businesses. In the House proposal and the Senate proposal, it is hundreds of billions of dollars out of the \$1.5 trillion tax relief. We think that is appropriate.

Finally, again, on the business side, it will help make companies competitive to get the rate down so they can attract investment into America rather than having that investment and jobs going out of America, which is what is happening now. There are 4,700 companies that would be American companies today if we had this tax proposal in place over the last 13 years, but we didn't, and we should learn from that. It is Congress's responsibility to act to keep that from happening in the future.

That is what this tax reform is about. It is about three things. It is about a middle-class tax cut allowing people to keep more of their hard-earned money. We think that is appropriate in these times.

It is about helping to make our companies more competitive because we want more jobs and higher wages. Part of dealing with the middle-class squeeze is to provide a little help with the family budget with tax relief. Part is to get wages up. When people look at this tax reform proposal—right, left, or center—they are going to say the same thing: This is going to incentivize more investment. Some think more, some think less, but that investment in a tight labor market, as we have right now, is going to result in more competition for these workers, therefore, pushing wages up. That is what we want. That is what this is about. It is exciting.

Third is to level the playing field internationally so American companies will not be going overseas. That is the whole point. We are not doing this tax reform proposal to encourage companies to go overseas. We are doing this

tax reform proposal to incentivize them to stay in America and to attract more foreign investment here in this country so an American company can pay that premium for a foreign subsidiary, rather than the other way around now, where American companies are not just inverting. We have heard this word “inversions,” going overseas and buying a foreign company. They are actually being taken over by foreign companies.

That is the reality. We can't let it continue. We have to stand up and be counted, stand up for the middle class, stand up for our workers who are now competing with one hand tied behind their back, whether it is a big auto company like in my home State of Ohio—I toured five of these auto factories over the last couple of weeks, talked to them about the tax reform proposal and how it would work. They gave me their input. It is going to help. By the way, it is going to help whether you are a U.S. company or a foreign company. If you are a foreign automaker here in America or you have other foreign investments, a lower rate and immediate expensing—in other words, being able to write off your investments and equipment as you make them—that is all good for you too. So it will have both, the desired effect of helping American companies be competitive but, also, if you have foreign direct investment in your State and your community, they should be encouraged to put more money in America rather than somewhere else. If you are a Japanese automaker and you are looking around the world asking: Do I put that next investment in China, do I put it in Tokyo, do I put it in Europe and Germany, or do I put it in America, you will like this proposal because you will want to invest and be part of this too. That will help us give this economy a needed shot in the arm.

There has been a lot of talk—and I heard it again today on the floor—that this is going to be bad for the deficit. I think there will be about \$44 trillion of new revenue coming in, estimated, over the next 10 years. Yes, out of that amount of money, we are suggesting a \$1.5 trillion tax cut relative to the score—the budget—we have to use.

What does that mean? About \$500 billion of that is simply saying, the Budget Office says the existing tax policy in place is only temporary. Some of it is only temporary. These are the so-called extenders. We know that is unlikely because we have always pretty much made these permanent, including a big one called bonus depreciation, which is most of that. Right away we think the way it is scored is not fair so we get down to about \$1 trillion in tax relief over 10 years, again, with \$44 trillion coming in.

What does that mean? It means you have to have a little more economic growth than is projected in order to not have a deficit and actually pay down the deficit through more revenue coming in. I think that will happen.

Why do I say that? Because the projections we have to use are very conservative. The Congressional Budget Office is what we are using, and we are obliged to do that, which is fine. It is a nonpartisan group. They are saying economic growth over the next 10 years will average about 1.9 percent of growth. The average over the past 30 years is about 2.5 percent. So they are saying our economy is not going to grow as fast as it has in the last 30 years. We will see. In the last two quarters, the economy grew at 3 percent and 3.1 percent so they don't seem to be on track with where the economy is going right now.

More importantly to me, these proposals are pro-growth proposals—whether it is help with regard to the business rate, which gets it below the rate of other industrialized countries rather than the highest rate in the entire industrialized world, which is where we are now. We have the highest rate in the industrialized world, and we are getting it below the average. That will increase investment and economic activity and jobs and, therefore, revenue.

If it is the immediate expensing,—again, where you can write down your investments right away—that will increase investment in jobs, according to all the economists who look at that. They may differ on how much.

If you look at the international side, where we are going to bring back some of that \$2.5 trillion to \$3 trillion that is stuck overseas, that certainly is going to be invested here in this country and help with regard to economic growth.

There are a number of provisions. I talked about the small business provisions earlier which will help small businesses to be able to innovate, to be entrepreneurial, which is what we need more of—more new starts. That is going to help.

All of that together is going to help with economic growth. How much? Instead of the 1.9 percent conservative estimate they have made for the next 10 years, let's say it grows 0.4 percent more than projected. I would attribute at least that much to this tax reform proposal because of what we just talked about, but if you believe it is going to grow at 0.4 percent more than projected; in other words, instead of 1.9 percent, 2.3 percent—2.3 percent growth would be below the average over the last 30 years—then you will actually see the deficit start to come down because of this tax reform proposal because the revenue will be there, not just to make it revenue neutral, but beyond that we will actually pay down the deficit. We haven't done that in a while.

Back in 1997, 1998, 1999, 2000, we went through this before. We began to reduce the deficit annually. Do you know how it happened? Constraining spending helped, and that is part of our challenge in the Congress—how do we get our hands around the spending—but second is growing the economy. In that

case, the capital gains rate of taxation was reduced. Then, suddenly, in the late 1990s, about \$100 billion of revenue that nobody expected showed up in the coffers. That is how we got to a so-called balanced budget a few years early because tax revenues were greater than expected.

I believe this will happen again. I believe that when you look at this proposal, it is conservative in the sense that it says: Yes, let's provide needed middle-class tax relief. Let's also do these things to grow the economy. Let's assume that because of all this, we are going to be able to improve the economic performance that is projected.

It is a pretty disappointing projection. Let's face it, 1.9 percent growth isn't great for any of us. It isn't great to deal with the issues of poverty. It isn't great to deal with the issues of entrepreneurship and innovation. It isn't going to help us to afford the entitlements that are growing. We need better growth than that, we want more growth, and I think tax relief is the single-most important thing we can do right now.

Yes, we should have more regulatory relief. Yes, we should do better in terms of getting the cost of healthcare under control. People are concerned about costs rising so fast, and we haven't been able to grapple with that issue. Yes, we should do more on worker training. We have a skills gap in this country. We have jobs available, and yet we don't have the skilled workforce to take those jobs. Yes, we can do more in terms of helping grow the economy through education and other things, but the one policy area that is crying out for reform is our tax system. It is antiquated. It is out of date. It is driving jobs overseas. It makes no sense. It can be simplified, and this simplifies the Tax Code. It can be made more fair, and this makes it more fair by helping the middle class more. It can encourage economic growth, and it does so through small business relief and relief for our multinational companies. It can help bring back trillions of dollars stuck overseas. That is what this does. That is the whole idea here.

I am excited about this opportunity. The House of Representatives is working on their legislation now in committee. Next week, that will shift to the Senate and the Senate Committee on Finance. We will have the opportunity for an open process. As I noted, we have already had 70 hearings in the Finance Committee just over the past 7 years since I have been in this Chamber. We have had working groups, including the bipartisan one I mentioned earlier, the five bipartisan working groups of that committee.

We will have the opportunity at our hearing next week to have an open process—anybody can offer an amendment—and open discussion. We will have an interesting debate. It will be spirited. As we saw here today, we have some differences of opinion, but let's

stick to the facts. Let's not make this partisan. Let's stick to the merits. Let's try to help the American people and our economy.

Then we will come to the floor of the U.S. Senate, and the same thing will happen—an open process. Every desk you see in here represents a Senator who will have the opportunity, should he or she wish, to offer an amendment, to have a debate, to discuss the issue. It will be spirited at times, but, again, I hope it will lead to a result that actually helps do the things we were elected to do: to give our constituents—the people we represent—the chance to have a better life; to give middle-class families a little relief as they are facing this middle-class squeeze; to help grow this economy from the middle out, from the bottom up, from everywhere; to give us the ability to say, once again, that America is that shining example, that beacon of hope and opportunity for the rest of the world. That is what this is about.

Let's not blow this opportunity. Let's get it done, let's get it to the President's desk for his signature before the end of this year, and let's make good on the commitments we have made to our constituents to help create a better economy and a better future.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4:30 p.m. today, Tuesday, November 7, there be 30 minutes of post-cloture time remaining on the Engel nomination, equally divided between the leaders or their designees; that following the use or yielding back of time, the Senate vote on the confirmation of the Engel nomination; and that if confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action; further, that there be 2 minutes, equally divided, prior to the cloture vote on the Robb nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GUN VIOLENCE

Ms. KLOBUCHAR. Mr. President, I come to the floor today to call attention to the tragedies that have been caused by gun violence across our country, including the most recent attack, which left at least 26 dead after a lone gunman opened fire at a church in Texas on Sunday. I join my colleagues in mourning for the victims and their families. Our thoughts are with them and all those affected by what happened in Texas.

At the same time, we remember that these heartbreaking events came just 35 days after the deadliest mass shooting in our Nation's history, when 58 were killed and hundreds were wounded in Las Vegas last month. But as we look ahead, we cannot escape the fact that we can, and must, do more to keep our communities safer. While no one policy will prevent every tragedy, we need to come together on commonsense proposals that would save lives.

I appreciate the words of my colleagues about mental illness and funding for mental illness. I think that is very important. I come from Minnesota, where Paul Wellstone was one of the leaders in making sure that mental illnesses got covered by insurance, and I think we need to do that and more.

Another area where we have found some consensus in this Chamber is improving background checks. My colleagues Senator MANCHIN and Senator TOOMEY have made that clear, and I supported their background check legislation in 2013. But the fact remains that we didn't pass that bill in the Senate. We fell short, and it was a disheartening day.

I remember having the parents of some of the Sandy Hook victims in my office that morning. Yet what happened that day—you have to contrast it with where the American people are. Consistently, whether it is with public opinion polls or whether it is when you talk to people you meet when you are at home, we have seen that Americans from across the political spectrum support commonsense proposals to require background checks, such as requiring background checks at gun shows. And they support that by wide margins.

By the way, I look at this from a State that has a lot of households that have guns. We are a proud hunting State. And with every proposal I look at, I always think of my Uncle Dick and how he used to love hunting and sitting in his deer stand. I think: Does this hurt my Uncle Dick and his deer stand? And I don't think that the Manchin-Toomey bill would in any way. When I look at these things, I have to evaluate them that way because I know how many proud and law-abiding gun owners we have in our State. But I don't see that closing this gun show loophole by doing something more about background checks would hurt that hunting tradition in any way.

When I talk to law enforcement around Minnesota, they stress the importance of having effective background checks to stop felons, domestic abusers, and people who are prohibited from having easy access to guns from having that access. If you remember, part of the Manchin-Toomey proposal was to do more on sharing data and getting the data out there. These efforts should not and do not have to infringe on Americans' rights to own guns.

Another sensible measure that came out of the tragedy in Las Vegas, which

we should take action on, is Senator FEINSTEIN's legislation to close a loophole that allows bump stock devices to convert semiautomatic firearms into weapons that work like fully automatic guns. Law enforcement recovered 12 of these devices from the hotel room of the shooter in Las Vegas last month.

I hope we can find some common ground. Some of our colleagues across the aisle have voiced some interest in this, and I hope we can do something when we know that would have been helpful in that shooting.

Another area where we can find common ground is in taking action to protect those who are at risk of gun violence from domestic abusers. We were reminded of how important this is again this week, as reports have revealed that the gunman in the Texas shooting had a history of domestic violence, having been court-martialed for assaulting his wife and child in 2012. He was sentenced to 12 months of confinement and received a bad-conduct discharge from the Air Force. There are also reports of ex-girlfriends and others who reported similar conduct.

I am sure the facts will be unveiled, but what I do know, regardless of what the facts show right now, is that this connection between domestic violence, stalking—those kinds of activities—and some kind of homicidal behavior is something that has been well established. According to recent research, more than half of mass shootings between 2009 and 2016—that is 54 percent—involved some kind of domestic or family violence.

Before I came to the Senate, I spent 8 years as the top prosecutor for Minnesota's largest county, so I have seen that connection. And I have seen the connection between a history of domestic violence or stalking that later leads to a more serious crime. That is why it is so important that we have protection orders, and that is why it is so important—as I look at the record of the shooter—that these cases be taken seriously, so you actually get that misdemeanor conviction on the record or you actually get a felony conviction or you do something about the stalking behavior when it is reported to law enforcement.

When I was the county attorney in Hennepin County, we would have cases we would sometimes pursue when a victim had reported it and the police had gathered evidence—even if the victim later backed away and was afraid to testify—because we knew it had happened, we had the original testimony, and we had the evidence at the scene. We trained the police on getting the evidence at the scene so that we were able to actually make those cases. And you think about, in that instant, making those cases; no matter how hard it can be sometimes when you have a scared victim, it is really important.

When I was in the county attorney's office, I made prosecuting felons in possession of firearms one of my top

priorities. They weren't supposed to have guns, and when they did have guns, we had to take it seriously. I will tell you, some of the most disturbing cases that we saw involved people with a documented history of harassment—of stalking, of domestic violence—because you would see it building and building, and sometimes it would be against one victim, but often we would find out that there were others and that it was a pattern of behavior, and one horrible case would erupt into homicidal violence.

There was one case I had heard of where a woman was shot to death by her boyfriend. He killed her and then killed himself while both of his kids were still in the house. It was ultimately his 12-year-old daughter who went to the neighbors for help. The worst part of the story is that it could have been prevented. In the 2 years leading up to the murder-suicide, the police had been called to the boyfriend's residence at least five times to resolve domestic disputes. Yet somehow the man, with a history of violence like this, was able to have a gun in his hand on the day he killed his girlfriend.

I wish I could say that it was a rare tragedy, but the truth is, studies have shown that more than three women per day lose their lives at the hands of their partners, and over half—this is an average—of the women murdered by intimate partners in the country are killed with guns. Many times these tragedies begin with incidents of stalking.

Research has shown that one in six women has experienced stalking sometime during her lifetime, and 76 percent of women murdered by intimate partners were first stalked by their partner. It is for this reason that a number of years ago I introduced a bill called the Protecting Domestic Violence and Stalking Victims Act to close some of these loopholes in our existing laws. My bill would make sure that those who are convicted of misdemeanor crimes of stalking are not able to buy guns. It would also expand the definition of a domestic abuser to include dating partners. The second part—when we had a hearing on this bill on these issues in the Judiciary Committee, even the Republican witnesses who were called supported the dating partner idea because so many States have started to do that.

I introduced the legislation this time. It has been bipartisan in the past, but the Republican Senator on the bill is no longer in the Senate, although it is bipartisan in the House. But this time I introduced it with Senator HIRONO and Senator FEINSTEIN, the only other two women on the Judiciary Committee of 20 members. Congresswoman DEBBIE DINGELL from Michigan is leading the same bill in the House, and her bill, as I noted, is bipartisan.

In 2014, we had a hearing on my bill. As I said, even the Republican wit-

nesses agreed that a major portion of the bill was a good idea. At that hearing, we heard from Sheriff Christopher Schmaling of Racine County in Wisconsin. He testified about the connection between stalking and guns being used in violence against women. In his testimony, he told the story of one woman from Wisconsin who, he said, had changed his career. This woman had endured 3 years of a violently abusive marriage before divorcing her husband. She then took out multiple restraining orders against him over several years. That horrible day in 2004, he threatened her with a handgun, beat her with a baseball bat, bound and gagged her, and left her in a storage unit to die. Through what he described as some good breaks and some great luck, the Sheriff and his partner rescued Teri before she died. As a result of the ordeal, she had a miscarriage and had to have her toes surgically removed. In his testimony, the Sheriff talked about the importance of my bill's provision to extend the protections in current law to include dating partners so that abusers would not be able to buy a gun if they are convicted of beating up their girlfriend or boyfriend, regardless of whether they lived together or had a child.

As the sheriff said, "Dangerous boyfriends can be just as scary as dangerous husbands; they hit just as hard, and they fire their guns with the same deadly force."

This is a simple point that you would think we could all agree on. Sadly, we still have not been able to pass this bill.

Mr. President, I ask unanimous consent that the sheriff's written testimony be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WRITTEN TESTIMONY OF SHERIFF CHRISTOPHER SCHMALING—JUDICIARY COMMITTEE HEARING: "VAWA NEXT STEPS: PROTECTING WOMEN FROM GUN VIOLENCE"—JULY 30, 2014

Chairman Whitehouse, Senator Grassley, Senator Leahy, members of the Committee, thank you for hosting this hearing today, and thank you for the opportunity to testify.

My name is Christopher Schmaling. I am the sheriff of Racine County, Wisconsin and have been a law enforcement officer for 19 years. I am a conservative Republican, and I'm here today to ask you to pass two laws that will protect our sisters, our mothers, and our daughters by keeping guns out of the hands of domestic abusers. The first bill is the Protecting Domestic Violence and Stalking Victims Act of 2013, which will block abusive boyfriends and convicted stalkers from possessing guns. The second is a bill that would require criminal background checks for gun sales by unlicensed sellers.

More than half of the women murdered each year are killed by intimate partners or family members. That's 48 women killed by husbands and boyfriends each and every month. We know that people with a history of committing domestic violence are more likely to become killers—and we know the role that firearms play: When a gun is present in a domestic violence incident, the chances that a woman will be killed increase by 500 percent.

These numbers are tragic. As the top law enforcement officer in Racine County and over my two decades on the force, I've seen far too many of these tragic incidents firsthand.

I want to tell you about one such domestic violence incident, a tragedy that changed my career. In 2004, Teri Jendusa-Nicolai was violently abused and left for dead by her ex-husband. Teri had endured three years of a violently abusive marriage before divorcing him, and had then taken out multiple restraining orders against him over several years.

That horrible day in 2004, he threatened her with a .38 caliber handgun, beat her with a baseball bat, bound and gagged her, and left her in a storage unit to die. My partner and I were the lead investigators on the case, and through some good breaks and some great luck, we rescued Teri before she died. As a result of the ordeal, Teri had a miscarriage and had to have her toes surgically removed.

Teri is one of the most wonderful people I've ever known, and has been a tremendous advocate for victims of abuse in the decade since she was nearly killed at gunpoint. We've become very close since then, and my eyes have been opened to the reality of domestic violence and gun violence. I've also become close with Elvin Daniel, who is sitting here beside me today, and have been moved by his sister Zina's story.

I'm proud to say we are the first county in the State of Wisconsin to have a full-time domestic violence specialist. We work closely with victims to figure out how best to protect them. We've made this very intimate and very deadly area a top priority for our department. So much of the crime we face in Racine County is intimate partner abuse, and any cop will tell you that domestic violence calls are the most dangerous calls. The last thing a victim needs, and the last thing my officers need, is for these dangerous abusers to be armed with illegal guns.

We respond to domestic violence incidents differently than other calls, because these are "heightened risk" calls—we send more officers, we go ahead and assume that guns will be involved, because they are so often involved. Abusers routinely threaten to shoot my deputies and I upon arrival at domestic violence calls. In fact, according to FBI data, over 150 law enforcement officers have been killed in action while responding to domestic disturbances.

I'm proud to have worked on a great domestic violence bill in Wisconsin in 2014 known as "The Safe Act," a bill that ensures guns are kept out of the hands of domestic abusers. This bill was passed by a bipartisan majority and signed by our Republican governor Scott Walker. This year alone, similar bills were passed with bipartisan support in New Hampshire, Minnesota, Vermont, and Washington. And in Louisiana, where another Republican governor—Bobby Jindal—signed the bill into law.

The first bill I'm asking you to pass today is the Protecting Domestic Violence and Stalking Victims Act of 2013, S. 1290, introduced by Senator Klobuchar. This bill would close a loophole that allows abusive dating partners to buy and have guns—simply because they are not married to their victims. And it would also block people with stalking convictions from having guns.

Why is this bill so important? I can tell you firsthand that domestic violence is horrific, whether or not the abuser and victim are married. When we send our police into danger to respond to domestic violence calls, we send the same folks regardless of the couple's marital status. Dangerous boyfriends can be just as scary as dangerous husbands; they hit just as hard and they fire their guns

with the same deadly force. In fact, according to FBI data, more women are killed in America by their abusive boyfriends than by their abusive husbands.

This past March, just a couple hours from Racine County, Cheryl Gilbert was killed by her ex-boyfriend in a domestic dispute. The killer apparently shot Cheryl with her own gun, after a struggle. According to news reports, she had been seeking a restraining order at the time of the killing. But in cases like Cheryl's, a restraining order isn't good enough. If you've never been married to your abuser, federal law likely will not stop him from buying a gun.

If Congress passes this bill, federal law will be catching up with the states. Among the 22 states that prohibit gun possession by domestic abusers subject to restraining orders, 19 of those states already include abusive dating partners. And 42 of our states have recognized that dating partner abuse is a form of domestic abuse by allowing victims to take out domestic violence restraining orders against their boyfriends.

The second bill I'm asking you to pass today would require criminal background checks for gun buyers who shop with unlicensed sellers. Current federal law prohibits many abusers from buying guns, but only requires them to pass a background check if they buy a gun from a licensed dealer. This is a gaping hole in the law: It means a convicted wife-beater can slip through the cracks and get a gun simply by finding a seller who does not have his own gun store.

This is exactly what happened in Dane County: Tyrone Adair was a domestic abuser who had been convicted of battery twice, and was legally prohibited from owning a gun because of a restraining order. So instead of going to a gun store—where he would have had to pass a background check—he found an ad for a 9mm Glock in a local paper, and met the seller at a hardware store. There was no background check, though the seller did ask, and I quote, "You're not going to go out and kill someone, are you?" Tyrone Adair used that gun on a horrific murder spree, killing his two daughters—ages 1 and 2—and killing their two mothers.

Background checks work. Sixteen states and DC already require background checks for all handgun sales, and about 40 percent fewer women are shot to death by their husbands and boyfriends in those states. And background checks save law enforcement lives as well: about 40 percent fewer cops are killed with handguns in those states, as well.

These are the cops that risk their lives when they respond to domestic violence calls, rushing into the middle of very dangerous and very intimate situations. We see the terror that abusers can create when they are armed. We see the impact on their wives and girlfriends, and on their children. We're major proponents of community policing in Racine County, and if I have my officers on the street, working closely with our residents, I want to know that our laws are doing everything they can to keep guns out of abusive hands.

So I'm here to speak for victims of abuse and to speak for my cops. I've made it a priority to talk to victims. I've seen the escalation over the years, from yelling, to battery, to homicide. When an abuser has a gun, the victims say to me, "Sheriff, is not a question of if he'll use the gun to abuse me; it's a question of when." And I recognize the value of preventing even one gun from winding up in the hands of an abuser: one gun may translate into one more lives saved.

So today, I'm asking you to pass S. 1290, which will apply the same rules to all abusers, regardless of whether they are married to their victims or not—and will prohibit convicted stalkers from having guns.

And I'm asking you to require criminal background checks for gun sales by unlicensed sellers, and ensure that abusers don't get a free pass when they buy guns from them—often strangers they meet online, at gun shows, or through classified ads. The bipartisan bill introduced last year by Senators Joe Manchin and Pat Toomey would do just that, and it has already received the support of 55 senators.

I'm asking you today to stand up against abuse by fixing our out-of-date laws and passing this common-sense legislation. Thank you for your time and I look forward to answering your questions.

Ms. KLOBUCHAR. I also note that a justice from the Supreme Court of Pennsylvania also testified on that day as the Republicans' witness. Even though he did not agree with everything in the bill, he also said: I absolutely agree that we should have boyfriends, dating partners as a part. We have it in Pennsylvania, OK? It is important. As the sheriff said, they can shoot, and they can beat up people just like anybody else.

He was, actually, the Republicans' witness at the hearing. That is why I am happy that in the House of Representatives it is a bipartisan bill, but I would like to see it as a bipartisan bill here in the Senate. Maybe they will reconsider this now. Just as the NRA has said that it was looking at the bump stock issue, maybe they would be willing to look at this issue because they wrote kind of a fast memo on this—it is only a page long—back when we had the hearing and when we were gaining support for the bill. Remember that this is very narrow legislation that is focused on making sure that dating partners are covered and also people who are not charged but convicted of stalking. They wrote that the legislation "manipulates emotionally compelling issues such as 'domestic violence' and 'stalking' simply to cast as wide a net as possible. . . ."

I want to make this very clear—and I have never addressed this on the floor before—that this was really focused narrowly so that we could gain Republican support. I didn't really think the NRA would support it, but I thought that maybe they would be neutral, and, sure enough, their witnesses at the hearing supported it. We have had Republican Senators support it in the past, and we have also had Republican House Members support it. In going after the bill by saying that it manipulates emotionally compelling issues, well, I would agree in that I am sure that a lot of people shed tears when watching what happened in Texas, and I am sure that they have shed a lot of tears when they have heard the stories from people in their own communities of the victims, of the women who had died at the hands of domestic abusers after years of abuse. So if they want to call that emotionally compelling and manipulative, that is up to them, but I call it the truth.

The other thing they said about this bill—and this was even more interesting—is the part about the stalking,

which is a major part of the legislation as well. That part of the bill, as I mentioned, just takes what we know as a signal for trouble in the future and violence in the future, and you would actually have to be convicted of stalking to have the gun protections apply.

The example they used—as I said, it did not make any sense to include this, and it is the only example they used—was of two men of equal size, strength, and domestic status, joined by a civil union or merely engaged or formally engaged in an intimate social relationship, being subject to this prohibition for conviction of simple assault arising from a single shoving match.

Actually, this part applies to the domestic partners. I think they are really taking this in a way that has surprised me since whom we are talking about are boyfriends and girlfriends and domestic violence, but they have changed it into a shoving match in a bar with people who might have some kind of social relationship. I just do not think this is a valid reason for my Republican colleagues to oppose this bill, and I am going to keep bringing this up because it does not make sense to me.

They end by saying that, whatever the case may have been 30 years ago, domestic violence is now taken seriously by the legal and criminal justice systems.

That was the reason they gave for opposing the bill. Really? Look at what we just found that happened in the last week when this was not just a minor example of domestic assault but was a felony. The person was court-martialed, and the person was, basically, detained for a year. Yet, somehow, this was not taken seriously enough through our entire system to show up on a record check. How about all of the reports that had been made by previous girlfriends and other people about his behavior, and nothing had seemed to come up then?

As I mentioned, of the many cases that we had had in our office, even when the victim had gotten scared and decided that she had not wanted to pursue anything, we had felt that we had an obligation to her and to the other women we knew would come after her to pursue those cases, and, many times, we had done that if the police had been trained and they had been able to get the evidence at the scene. Sometimes there had been child witnesses and others, and we had been able to pursue those cases and win them, and we did.

So to say that you don't want to support my bill because you think this system is so great, is working so well, and is being taken seriously by the legal and criminal justice systems after you saw what just happened in Texas, I do not think is true. This memo was written 2 years ago. So I hope they will look at this again and consider supporting my bill.

I conclude my remarks by sharing another story about yet another tragic shooting from my State. In this one I

truly got to know the widow. She is the widow of a police officer in Lake City, MN. This was a case in which the officer, who was a wonderful man in a small town police department, responded to a domestic violence call from a 17-year-old girl who was being abused by her ex-boyfriend. He went to the scene in the middle of the winter. He had a bulletproof vest on and everything because the domestic violence cases can be much more dangerous than people think, and officers know this. He was shot in the head, and he was killed. The 17-year-old girl lived. This officer literally gave his life to save another.

There was a big funeral, and there were law enforcement people there from all over our State. I will never forget that funeral. I was sitting there in the aisle, and I had learned that the last time that officer had been in that church was to see his own kids—three young children, two boys and a girl—in a Nativity play. He had been sitting right in the front row of that same church, so proud of them at Christmas. Shortly after that, he was shot. At his funeral, there were those three children walking down the church aisle—the two young boys and the little girl in a blue dress that was covered with stars. I always think about that little girl in that blue dress that was covered in stars. This was domestic violence gone bad. He was a police officer who had shown up at the scene.

When you look at these cases—we can look at the numbers; we can look at the stories; we can look at what has gone on on TV—you see this connection between domestic violence and stalking and then, later, either mass shootings or violence against one person, which happens much more often. It is not a coincidence. It is something that has been well documented.

As we extend our sympathies and prayers to all of those who were affected by that tragedy in Texas and, of course, not too long ago in Las Vegas and in so many other communities and to all of those, of course, who were also victims of that act of terror in New York—we think of all of them—we also think: What can we do to make this better? In this case, when it comes to domestic violence and this specific issue that I know a lot about from my past job, we can do something. So let's pass this bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

DACA

Mr. MURPHY. Mr. President, whenever a Higher Power is looking down on us as we move through our daily lives,

I imagine that He probably doesn't see political borders. I imagine He probably doesn't care much about the distinctions that we create to tell the difference between us and others. He probably doesn't care much about walls and fences. He cares about us as people. He looks at us, at how we conduct ourselves, and at how we treat others.

We spend a lot of time here talking about the arbitrary divisions between us, but in the end, when we face our Maker, it probably is just about how we treated those around us, whether we tried to make their lives a little bit better.

So I am on the floor this afternoon to talk about a handful of my constituents who need our help, young people who we have labeled with the term Dreamers, who came to this country not by their decision but by the decision of their parents, when they were very, very young. They are Americans in every sense of the word. They are beautiful, beautiful young men and women, and they want us to see them as the beautiful individuals they are. They don't want to be labeled. They don't want to be put into the middle of a divisive political dialogue. They just want our help.

We all hear from them because there is no State that doesn't have these kids. There are 800,000 who have officially registered under the existing law that provides them with protection. They are in every single congressional district.

I thought it would be useful for my colleagues to hear from just a few of them today because they can tell the story of why we need to give citizenship, permanent protection, to these kids at the very least, if not their parents and others who have been waiting for a long time for comprehensive immigration reform. They can tell this story better than I can.

Vania from Willimantic is a student at Eastern Connecticut State University. I want to read what she wrote to me. She said:

I was born in Mexico, and I was brought to the United States at the age of 3 and have been living in Willimantic since. I am 19 now. I grew up in Willimantic, Connecticut, and I consider it my home. It's where I grew up, where I went to school, where I made friends, and where all my memories are.

As an undocumented student in the United States, you are constantly unsure of what your future may hold, but not because you're indecisive or unsure of what you are going to do, but rather because you don't ultimately have power of your own future. At a young age I always knew I wanted to go to college; however, I also knew that because of my status, I might have not been able to carry out that goal. However, I didn't let it discourage me. I like many other undocumented students did the best we could and constantly strived to be the best at anything we did, and now, thanks to DACA, all that hard work has finally begun to pay off.

See, DACA is more than just a legal status; it is the puzzle piece that many of us have been missing in order to reach our goals. It has allowed me to get a Social Security number, a driver's license, but more importantly, a higher education.

Growing up, I constantly had all my teachers say to me: Do good in school, try your best at anything you do, stay out of trouble, and you are guaranteed to go far in life.

Let me step out of her comments for a second. Boy, if that is not an encapsulation of the American dream—"do good in school, try your best at anything you do, stay out of trouble, and you are guaranteed to go far in life"—I don't think I could find a better way to encapsulate what we hope is the story for every single child in this country.

Vania said:

So that is exactly what I did. Most other DACA recipients did the exact same, but it currently doesn't seem enough for this government. There is no longer a fight for a work permit but rather a fight for my human rights. I am just as worthy to live here and carry out my goals as any other natural born citizenship. I have done my best, consistently contributed to society in a positive way. This is my home. I deserve to feel safe here, and I will continue to fight for that until I do.

Mirka is from Wallingford, CT, and she is a Southern Connecticut State University student. She said:

I came here from Mexico sixteen years ago. I am currently a senior at Southern Connecticut State University, studying bilingual education.

We need more good people in bilingual education.

I just started student teaching last week, but all that is in danger. Besides being able to get a license and work permit, DACA has allowed me to follow through on my passion of becoming a teacher. It has given me hope that I have a future career in education and that I can live my life without fear of deportation.

An in-need profession—bilingual educators. Somebody willing to devote their life to our kids needs our help.

Faye in Norwalk says:

I am one of the more than 800,000 DACA recipients in the United States. I am from Trinidad and Tobago and have been in the United States almost 19 years. I live in Norwalk, CT, and I have lived there for about 16 years. It is home to me.

You hear that over and over again: It is home to me.

I am currently a Lead Radiology Scheduler, and I have a second job working at Ulta, both of which I enjoy. My goal in working both jobs is to purchase my first home.

That is another very critical component of the American dream—home ownership.

Growing up, I wanted to be a homeowner. I wanted a place that I could call mine, and with DACA I saw that as a possibility. Now I'm not sure when or if that would come through, but I still will continue to work hard because in my heart I know God is bigger than even this moment, and I know that we will be victorious. Even in a land that would not allow me to claim it as my home, I want to buy a house of my own to call my home. One day I will be called American not just among my undocumented community but by a Nation.

I mean, listen, we have some very articulate people in this body, Republicans and Democrats. I am not sure that any of us could write something that poignant, that beautiful, and that

compelling: I am not sure if any of that will come through, but I am going to continue to work hard because in my heart I know that God is bigger than even this moment, and I know that we will be victorious. Even in a land that would not allow me to claim it as my home, I want to buy a house to call it my home. One day I will be called an American not just among my community but by my Nation.

There are 4,900 DACA recipients in just my State alone. I have met a lot of them. Frankly, maybe not everyone is as beautifully articulate as Faye, but, boy, they have done some very impressive things with their lives, maybe in part because they always knew that their status here was in jeopardy and they had to make the most of their time in the United States, not knowing when it would end, knowing that they had opportunities here in the United States that they simply would not and could not have if they ever went home, especially those kids who came here when they were 3 years old, going back home to a place where they might not even speak the language—they certainly know no one—a place where opportunity is farther off even for those who were born there. They worked hard, and they hustled a little bit more, knowing that they might be at risk of some day being pushed out of this country.

They are Americans. Every single one of these students, these Dreamers, use the phrase "This is home." And they want our help.

I think this is a moral issue, first and foremost. It is how we treat each other. These people are our neighbors. They are our coworkers.

Eight hundred business leaders—CEOs from companies such as Walmart, Target, Facebook, Pepsi, Kaiser—want them to stay here because they are their employees. They know how much they add to the economic bounty of this country. They wrote to us and asked for us to provide permanent protection for these kids.

Seventy-five national colleges and universities, including all the ones in my State—Yale, Trinity, Connecticut College, the State universities—said the same thing. They want to educate these kids. They see them. They see what stellar students they are, and they just can't imagine the United States deciding to send 800,000 of these incredibly capable kids away.

One hundred eighty-six civil and human rights groups running the gamut say: This is a moral and civil rights issue. Let these kids stay.

Because of President Trump's decision to telegraph the end of the temporary protection for these students, the burden is now on us, Republicans and Democrats, to do something and do something soon. It is hard to describe the psychological toll on these kids right now. I mean, it was bad enough when they were pushed into the shadows. It got a little bit better when they got temporary protection. But now

that we have put a clock on, now that they have revealed themselves to the world and put themselves on a list that can allow them to be targeted, there is a little bit of their soul that atrophies every day as they wonder whether we are going to come together and do the right thing. Part of the reason part of them is crumbling inside is because they see themselves as being made political pawns in a bigger game here.

It would be so easy for us to decide to protect these kids. Just do it now. Don't wait until the end of the year. Don't wait until this issue is mixed together with all sorts of other must-pass legislation. Just come together right now and step up and give these kids some degree of confidence that they can be here.

I have heard so many of my Republican colleagues say they want to do that. Why wait? Why push this up until the last minute? Do it right now. It is the right thing to do.

In the end, whoever is up there does not look at borders. He looks at us. He looks into our soul. He thinks about how we treat those who need our help and our protection. And no one needs our help and protection more than these kids right now—5,000 of them in my State and 800,000 of them across the country.

So my plea is simple, Mr. President: Let's do this and do this now. Let's give permanent protection, citizenship, pathways to citizenship, to these beautiful boys and girls, men and women. Don't make this issue about politics. Don't make it about parties. Don't make these kids a bargaining chip in a bigger game. Just do the right thing. I promise you, if you do, you won't regret it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

CLIMATE DISRUPTION

Mr. MERKLEY. Mr. President, climate disruption is the seminal challenge of our generation. We have seen the impacts occurring all around the world. We see it in the disappearing Arctic ice. We see it in the melting permafrost. We see it in the change of carbon dioxide and methane being emitted from peat bogs, disappearing glaciers, dying coral reefs, and certainly more powerful storms and raging fires.

It is the responsibility of those of us in this generation, in this time, to take action. Indeed, communities across the globe are taking action. They are increasing the energy efficiency of buildings, vehicles, and appliances, and they are replacing carbon-polluting fossil fuel energy with renewable energy. This is such an important issue.

How much do you know about the changes underway? Well, let's find out. Welcome to episode 7 of the Senate Climate Disruption Quiz.

Our first question is, Since the year 2000, the rate of global carbon dioxide pollution has decreased dramatically, decreased slightly, stayed the same, or increased substantially? Lock in your answers.

The answer is D, increased substantially. Many folks think that because of the actions being taken at the local level and by the community of nations and the Paris Agreement, that, in fact, global CO₂ pollution has decreased dramatically, but it has not. The rate at which the pollution is occurring is increasing. So it isn't just the total level. For example, in 1990, we had 354 parts per million; 10 years later, in 2000, we were up to 369.64 parts per million; and in 2017, we were up to 408.8 parts per million. The levels are climbing, but the speed is increasing as well. In that period around 1990, we were increasing about 1½ parts per million per year; by 2000, it was about 2 parts per million per year; and now we are at 2½ parts per million per year. So this increase is substantial.

As a community of nations, we have to not only proceed to decrease total carbon pollution, but first we have to get the rate of increase under control.

This brings us to the second question: In September of this year, how many miles did a Proterra bus drive on a single charge? Did this bus set a record by going 270 miles, the distance between L.A. and Las Vegas, or did it set a record by going 600 miles, equivalent from New York City to Columbia, SC? Did it travel over 1,100 miles, the equivalent distance from Arizona to Arkansas? Did it manage to go 2,092 miles, the shortest distance from the east coast to the west coast in America? Lock in your answers.

The correct answer is C. It went 1,100 miles. The electric bus traveled 1,100 miles. This bus was a new version of the Catalyst E2. It is called the Catalyst E2 Max. It is produced by Proterra. It has a battery that is 50 percent larger than the previous version that is being sold commercially—that is the Catalyst E2. That Proterra that is currently being sold has a functional range for the transit agencies that are buying it of over 350 miles, about 350 miles. That is pretty impressive. But by having a battery that is 50 percent lighter and moving quite slowly, driving it slowly, they managed to go 1,100 miles. It is really an indication of the rapid transformation of this particular type of electric vehicle.

Question No. 3: Warmer weather is contributing to what problem in major American cities? Is the problem caused by warmer weather transit delays? Is it exploding rat populations? Is warmer weather contributing to larger potholes or to longer tourist seasons?

Well, the dramatic answer here is that the warmer weather is contributing to exploding rat populations. Rat breeding usually slows in winter, but if you have a mild winter, that doesn't happen.

Since 2013, the pest control company Orkin has reported significant growth in its services—61 percent growth in Chicago, 67 percent in Boston, 174 percent in San Francisco, 129 percent in New York City, and 57 percent in Wash-

ington, DC, right here where the Capitol is located. This is a major economic and health problem. Rats caused \$19 billion in economic damage in 2000 from, among other things, eating away at buildings and infrastructure, and, of course, they are carriers of rodent-borne diseases like E. coli and salmonella. Plus, we just simply don't like having them in our cities.

Let's turn to the next question, question No. 4. As of today, how many nations in the world are rejecting the Paris Agreement that addresses climate disruption? Is the answer 25 out of the roughly 200 nations in the world or 12 or 3 nations or 1 nation? Lock in your answers.

The answer is not 25 nor 12, and it is not 3. It is now just one nation that is rejecting the Paris Agreement. Now, until recently there were three nations. You had two nations that had not signed up and one nation that had said it was going to withdraw. The two that had not signed up were Nicaragua and Syria, and the one that said it was going to withdraw was the United States of America. President Trump made that announcement. But a short time ago, Nicaragua announced it was going to ratify the treaty, and today Syria announced it was going to ratify the treaty. That leaves the United States standing alone as the only Nation that is saying it is going to reject the Paris Agreement.

Of course, this has a big impact on American leadership in the world, since we worked very hard to bring nations together to craft this agreement. The nations were so impressed that all of them in the world are now participating except us—except the United States.

Let's go to question No. 5. Better management of our lands and forests could help reach what percent of the goals laid out in the Paris Agreement? Could better management of lands and forests contribute to reaching 5 percent, or one-twentieth of the goal; or 12 percent, roughly one-eighth; or 25 percent, roughly one-quarter of the goal; or 37 percent, more than one-third of the goal laid out in Paris? Lock in your answers.

The correct answer to this is D, 37 percent, or more than one-third, a surprisingly high number. An international study released last month said the natural climate solutions in guarding the management of our lands and our forests could help us reach more than a third of the goals laid out in the Paris Agreement. The paper looked at 20 conservation and improved land management actions that help increase carbon storage or avoid greenhouse gas emissions in a cost-effective manner. The single most important factor among them is reforestation.

Years ago I heard an individual say: Wouldn't it be great if we could just invent something that could pull carbon dioxide out of the air. Well, we actually have that already. It is called a tree. Growing trees is a very effective strategy in addressing carbon pollution.

Of course, there are issues related to how we manage our forests and making them more resilient to forest fires, where they are less likely to burn and emit carbon. Certainly, there is how we farm and how we take care of other types of lands, including peat restoration and coastal restoration.

Those are our five questions for this edition, episode 7, of the Senate Climate Disruption Quiz. These questions were ripped from the headlines in regard to the biggest test facing human kind on this planet. It is up to us in this generation to act.

We are the first generation to experience this enormous range of impacts from carbon pollution and a warming planet, and we are the only generation that is able to head off disaster ahead by acting quickly now. We are racing the clock. There is no time to spare. So stay engaged and do all you can to help take this on.

Meanwhile, as we learn more about technology and about the planet, all in the near future, I will bring you Climate Disruption Quiz Episode 8.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Connecticut.

GUN VIOLENCE

Mr. BLUMENTHAL. Mr. President, we are here in the wake of yet another senseless mass shooting. Again, we continue to watch in horror a community torn apart and families seeking solace and comfort, loved ones deprived of people close to them forever. We know about that feeling in Connecticut because we had been through it in Sandy Hook just 5 years ago, almost to the month. Next month will be the fifth anniversary.

Every day in America in communities across this great country, there are senseless similar acts of violence one by one, person by person. Every day there is a mass instance of people dying of gun violence. The danger is that this kind of incident will become a normal way of life in America. We cannot allow ourselves to become desensitized. We cannot lose hope that action is possible. We cannot allow ourselves to succumb to this supposed normal. We cannot surrender to fear or complacency or hopelessness.

Our hearts and prayers are with the brave souls who are enduring this unspeakable grief and pain. Again, we know about it in Connecticut because I remember well that afternoon at Sandy Hook and the days that followed when families hoped for numbness. They hoped that the rawness and unimaginable pain of that loss would leave. For some, it has lessened, but it will never go away for them or for the families in Texas or Orlando or San Bernardino or Virginia Tech. The list is a long one, and it should include those families in Hartford, New Haven, Stamford, Bridgeport and in other communities—not necessarily urban, but suburban and rural—around Connecticut and around the country that have endured this same grief.

Numbness is not the answer. Action is the answer—honoring those victims by action. That honor is never too soon. That sense of grief will never go away. As much as our hearts and prayers go out to those families, we must also honor them with action.

Our reaction is not necessarily aimed at the last shooting or the last death by gun violence. It should prevent the future ones. The trap of the gun lobbyists is to say: Well, what you are proposing wouldn't have prevented what happened last Sunday in Sutherland Springs, TX. But we do know that 26 people might be alive today if the U.S. Air Force had done its job. Twenty-six people might be alive today if the U.S. Air Force had reported this conviction by court-martial of the shooter to the NICS background system. Twenty-six people might be alive today if the U.S. Air Force had followed the law.

There is a law that requires this reporting. It was passed in 2007. It requires all courts and all jurisdictions to make that reporting.

The law here is also clear that the shooter never should have had access to firearms. There are laws on the books right now specifically designed to help prevent dangerous individuals with criminal records of exactly this kind from getting their hands on guns, and that includes anyone who has a domestic violence conviction in any court, including military court.

As the author of that legislation, Frank Lautenberg, said at the time: It is a very simple principle. Wife beaters and child abusers should not have guns. The statistics bear out that principle now more than they did ever before. The mix of guns and domestic violence is a toxic one. Fifty-five percent of all homicides against women occur during domestic violence disputes, and a woman is five times more likely to die during a domestic violence dispute if there are guns in the house.

The law also prohibits anyone who has been dishonorably discharged from the military or convicted of an offense carrying a sentence of more than 1 year from buying a firearm.

The Department of Defense has a clear legal obligation to have made that report. By the way, that obligation includes military court indictments as well as convictions, because they may disqualify someone from obtaining guns.

We know today that the shooter in Sutherland Springs, TX, also was involuntarily committed to a mental health facility after sneaking guns onto an Air Force base and trying to kill his military superiors. That person should never have been anywhere near a firearm, let alone having the ability to buy one from a licensed firearm dealer, as apparently occurred.

The Air Force's lapse is shocking and inexcusable. It is a lapse that may have contributed to, if not directly caused, that shooting because, otherwise, that shooter would have completely lacked access to the firearms he used so lethally.

The American people deserve to know why the gunman's conviction was not reported in the background check database. The American people also deserve to know what immediate steps the Department of Defense will take to ensure that every court-martial indictment or conviction is reported to the FBI when they disqualify someone from accessing guns.

The American people deserve action. So I have written to the Defense Secretary James Mattis urging him to take immediate action to ensure that guns are prevented from falling into the wrong hands. That means taking specific, concrete steps to identify an individual whose convictions and court-martial disqualify them from obtaining a gun and making sure those records are submitted to the FBI. I want to know what system there will be for identifying those convictions.

I am also planning to introduce legislation because enforcement of that law should be done and reemphasized and reinforced so that there is no question in any mind of anyone in the military about their obligation. They must ensure that people who are convicted of disqualifying offenses in military courts are reported to the national background check database so they are prevented from having access to these firearms by purchasing them from licensed firearms dealers.

As of now, the background check law applies only to those licensed dealers. We need to extend it to include all firearms sales. We need other commonsense measures to prevent and stop gun violence, but at least the military can be compelled to honor this obligation. I know its heart is in the right place, and I know they will diligently reform what they need to do largely on their own because they recognize that obligation.

We have an obligation, as well, to enforce all of these laws more diligently. As a law enforcement person, one who was the State attorney general for 20 years and the U.S. attorney before then, I am proud of the State of Connecticut for classifying domestic offenses so they can be disqualifying under the law. Connecticut is only one of a handful—perhaps three States—that have that disqualifying classification, so the States need to do better as well.

The simple, commonsense fixes to help enforce laws that are already on the books to keep America safe will enable the law to be real and effective. If it is unenforced, it is dead letter. It must be enforced. We need better enforcement, and we also need better laws.

I hope my colleagues on both sides of the aisle will join in this effort, and I hope this new legislation will be bipartisan, just as we grieve together regardless of party.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I first wish to thank my friend, the distinguished Senator from Connecticut, for his very important words.

NOMINATION OF PETER ROBB

Mr. President, I rise at this point to say a few words about one of President Trump's nominees whom we will be voting on in a few minutes.

The National Labor Relations Board is a crucial tool for protecting working men and women in Michigan and across the country. The right to collectively bargain, the freedom to be able to bargain for fair wages, good benefits, retirement security, safe and fair workplaces—all of these things depend on a National Labor Relations Board that works—that works for people.

Perhaps no person at the NLRB is more critical to protecting these rights than is the NLRB's General Counsel. When a worker believes that the law has been violated and brings their concern to the National Labor Relations Board, it is the General Counsel who investigates. If the employee is found to have violated the law or the freedoms and rights of working men and women, it is the General Counsel who takes action to make things right.

Unfortunately, while President Trump talks a lot about having our workers' backs—he certainly said that a lot in Michigan—his actions speak much louder than his words. That is certainly true in the case of his choice for General Counsel, Peter Robb.

Mr. Robb was voted out of the Health, Education, Labor, and Pensions Committee in October without any Democratic support—and there was a reason for that. The reason is that during his career, he has shown so little support for working men and women across our country.

When Dominion Energy's workers at the Millstone Power Station in Connecticut attempted to use their freedom to organize—one of the freedoms in America is to be able to come together, to be able to organize, to be able to collectively bargain on behalf of yourself and others to make sure you are able to get fair pay and a pension and safe working conditions. But when the people at the Millstone Power Station in Connecticut attempted to do that, Mr. Robb, who represented Dominion, delayed the election for more than 2 years. Not only that, he bragged about it on his law firm's website—making people who wanted to exercise their freedom to collectively bargain and to organize wait for 2 years.

Mr. Robb also was lead counsel on the case that led to 11,000 air traffic controllers being fired—people, again, who were part of a union and could collectively bargain for safe conditions and good pay and pensions. They were fired and barred from Federal service. It was a watershed case in the history of union suppression, in taking away people's freedoms.

While he worked for a Reagan-appointed NLRB member, longstanding

policies changed to weaken the government's ability to enforce the rights and freedoms of working men and women.

With stagnant wages and rising healthcare costs and worries about pension cuts and workplace discrimination, frankly, I know working men and women in Michigan and across the country have enough to worry about. They shouldn't have to worry that the person who is supposed to have their back is, instead, looking for ways to strip away their freedom to organize on the job.

That is why I will vote no on Peter Robb, and I encourage my colleagues to do the same.

HEALTHCARE

Mr. President, I wish to turn now to another very important topic. I have been speaking about workers, and now I wish to speak about our children and standing up for our children.

Every year, 9 million children receive health insurance through a very successful program called the Children's Health Insurance Program. Children from low- and middle-income families who do not qualify for Medicaid—working families—are able to receive healthcare through CHIP, and every year, 25 million people, including 300,000 veterans and 7.5 million children, receive medical care from community health centers in cities and towns and rural communities all across Michigan and across the country. That is 9 million children who can see a doctor when they get sick or hurt, and that is millions of parents who don't have to lie awake at night, worrying about what will happen the next time their child falls, breaks an arm, gets strep throat, or something even worse.

Thanks to Republican inaction, these millions of parents do now have to worry.

It has been 38 days since the Republican leadership let funding expire for the Children's Health Insurance Program and community health centers—38 days and counting—38 days when we could have been working together to fund these important programs. Yet that didn't happen, even though they have bipartisan support. That is 38 days of telling children and hard-working families who use these programs that they don't matter as much as other things we are doing.

For the longest time, the Children's Health Insurance Program and community health centers have received strong bipartisan support, and that is true today. If these programs—a bill that came out of the Finance Committee and a bill that Senator Roy BLUNT and I have introduced—were brought to the floor, they would get strong bipartisan support—if we could get them on the floor.

We are hearing from more than 1,000 organizations, including the American Academy of Pediatrics, the American Heart Association, the March of Dimes, and the National Association of Counties, all urging us to take up the CHIP bill and to pass it—the 5-year extension, which is so critical.

Senator HATCH on the Finance Committee, of which I am proud to be a member, has worked with Senator WYDEN, with me, and with others to put together a good bill, a 5-year reauthorization of CHIP, on a bipartisan basis, and 70 Members of this body, led by Senator ROY BLUNT and myself, have signed a letter of support for continuing funding for community health centers. Senator BLUNT and I, with eight other Democrats and eight Republicans, have put in a bill to do that.

We know the support is there. The problem is, we cannot get it brought up on the floor as a priority for the Senate.

As I mentioned, this crucial funding expired 38 days ago—more than a month ago. Over those 38 days, the Senate has taken up 54 record rollcall votes, Republicans passed their budget, and we have considered 16 nominees. But we haven't considered over the past 38 days the 9 million children who depend on the Children's Health Insurance Program to stay healthy and the 25 million patients who use community health centers.

We might be 38 days late, but there is no time like today to make children and families a top priority. These programs are a big deal in my State. Before CHIP, too many hard-working families in Michigan couldn't afford to take their children to the doctor. Now, 97 percent of our children in Michigan can go to the doctor. Moms and dads can take their children to the doctor because of what has been put together around health insurance, making health insurance available in Michigan—the highest percentage ever—97 percent.

Last year, Michigan's community health centers treated more than 680,000 patients, including 12,710 veterans.

Having access to health insurance and healthcare we know is life-changing and even lifesaving.

Just ask Jan of Davison, MI, whose daughter Suzi was covered by MICHild—what we call CHIP, actually MICHild—in Michigan. Suzi was diagnosed with ADHD as a child and later with bipolar disorder. In Jan's words:

Without having access to quality health care, we would have been lost. And thanks to MICHild coverage, we are able to afford the help she so desperately needed.

Today, Suzi is a high school graduate and plans to go to community college.

Albert, a resident of Owosso, MI, knows the value of community health centers. He had graduated from high school and was taking college classes. He had a great full-time job with health benefits. He said that it was like a dream come true—until it stopped. Work dried up. In a matter of months, Albert lost his job, his insurance, and his home.

He fell into a deep depression—and many of us would have done the same. But Albert was lucky. A friend noticed that he was struggling and urged him to visit Great Lakes Bay Health Cen-

ters. Within 2 weeks, he had a medical appointment; 3 days after that, he was speaking with a community health center counselor. As Albert said, "It happened so fast, there was no time for me to fall through the cracks."

Today he is running a local business and has his confidence back. He has lost 50 pounds and stopped drinking. He has rebuilt his relationships with his family. And he is now giving back to the very clinic that changed his life, serving on the board of Great Lakes Bay Health Centers.

All of the children and the people who receive coverage and care from CHIP and community health centers can tell their stories.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. STABENOW. Mr. President, if I might just take 30 seconds to complete my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Thank you very much.

Let me just say in conclusion that we can fix this. We don't have to put up one more day on the count chart. Today we can make children and families a priority by passing critical healthcare that has the bipartisan support to get it done, if we have the urgency to do so.

Thank you.

I yield the floor.

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the Engel nomination?

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 264 Ex.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeben	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Coons	Leahy	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCain	Warner
Duckworth	McCaskill	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NOT VOTING—2

Menendez	Paul
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I yield back all time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

Mitch McConnell, Orrin G. Hatch, John Barrasso, Johnny Isakson, Chuck Grassley, Thom Tillis, Lindsey Graham, Roy Blunt, John Cornyn, John Thune, John Boozman, Cory Gardner, Pat Roberts, Mike Crapo, Mike Rounds, James M. Inhofe, John Hoeven.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 265 Ex.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Perdue
Blunt	Gardner	Portman
Boozman	Graham	Risch
Burr	Grassley	Roberts
Capito	Hatch	Rounds
Cassidy	Heller	Rubio
Cochran	Hoeven	Sasse
Collins	Inhofe	Scott
Corker	Isakson	Shelby
Cornyn	Johnson	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—47

Baldwin	Gillibrand	Nelson
Bennet	Harris	Peters
Blumenthal	Hassan	Reed
Booker	Heinrich	Sanders
Brown	Heitkamp	Schatz
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Coons	Leahy	Udall
Cortez Masto	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskill	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

NOT VOTING—2

Menendez	Paul
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The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, our EPA Administrator, Scott Pruitt, has a little problem. You see, the Supreme Court has ruled that greenhouse gases are pollutants under the Clean Air Act. Therefore, under the Clean Air Act, the Environmental Protection Agency, which Pruitt leads, is legally obligated to regulate greenhouse gases. They must do this as a matter of law.

Moreover, the EPA has determined that greenhouse gas emissions endanger the public health and welfare of current and future generations, and Scott Pruitt has said he will not contest that endangerment finding. He is stuck with it. Why? Because he knows it is a contest he would lose by a landslide. The climate denial nonsense he espouses has never passed peer review, it is not real science, and it would get buried in any forum where facts and truth matter.

That is also likely why the White House released the Climate Science Special Report, part of the National Climate Assessment we mandated by law without significant alteration. Scientists had prudently disclosed what they sent to the White House so everyone could compare what went into the White House with what came back out of the White House. That put the White House in a box, and caught in that box, the White House went ahead and released the report without alteration.

The Climate Science Special Report affirms that climate change is driven almost entirely by human action. It warns of a worst-case scenario, where seas could rise as high as 8 feet by the year 2100, which is the scenario our home State planners are looking at for Rhode Island and which I know has occasioned dire forecasts for the Presiding Officer's home State of Florida. The report details a wide array of climate-related damage already unfolding across the United States. Here is what the report says: "It is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century." The document reports: "For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence."

No convincing alternative explanation. Well, we actually knew that because climate denial has all along been bogus, phony propaganda created by the fossil fuel industry and pushed out through its array of phony front groups. Nobody but the ignorant would seriously believe their nonsense, least of all in Congress, except for the fact that the propaganda is backed up by ferocious political artillery and an implacable fossil fuel industry position to deny, deny, deny as the ship goes down.

This will be a disgrace whose odor will last a long time as history looks back and recounts a Congress so subservient to the fossil fuel industry that it would ignore unanimous real science and go instead with the flagrant, self-serving falsehoods of the industry with the world's biggest conflict of interest—an obvious plain conflict of interest. It is a sickening display of what our Founding Fathers would plainly describe as corruption, and we are supposed to act as if things are normal around here. Things are not normal around here—not since Citizens United, for sure.

Things are also not normal at EPA. That Agency of the U.S. Government has been corrupted. There is no straighter way to say it. The EPA now answers not to the public interest but to the special interest of the fossil fuel industry through its new Administrator, Scott Pruitt, whose entire history is one long exercise in subservience to the fossil fuel industry. If he is not bad enough, check out the creepy coterie of fossil fuel lackeys he is surrounding himself with. It is another disgrace, but given the fossil